



ATTORNEY'S DOCKET NO.: 0492611-0315

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Griffith-Cima et al.  
Serial No.: 09/008,945  
Filed: January 20, 1998  
For: INJECTABLE POLYSACCHARIDE-CELL COMPOSITIONS

99 JAN -5 AM 9:52  
GROUP 180

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Sir:

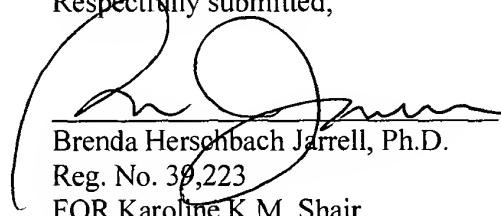
TRANSMITTAL

Enclosed please find the following documents regarding the above-referenced matter:

- 1) Continued Prosecution Application Request Transmittal;
- 2) Petition for Three-Month Extension of Time;
- 3) Check for \$760.00 to cover the basic filing fee;
- 4) Check for \$870.00 to cover the Extensino fee; and
- 5) Return Postcard.

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Respectfully submitted,

  
Brenda Herschbach Jarrell, Ph.D.  
Reg. No. 39,223  
FOR Karoline K.M. Shair  
Reg. No. P-44,332

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Dated: December 23, 1998

DS1.453318.1

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CPA filing  
10/1999

PTO/SB/29 (2/98)

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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:  
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Address to:

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Washington, DC 20231

Attorney Docket No.	0492611-0315
First Named Inventor	Griffith-Cima
Examiner Name	D. Naff
Group / Art Unit	1651
Express Mail Label No.	EH408133998US

This is a request for a  continuation or  divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/008,945,  
filed on 1/20/98, entitled Injectable Polysaccharide-Cell Compositions.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

- Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
  - DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....  
.....
  - The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - PTO-1449
  - Copies of IDS Citations

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Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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PTO/SB/29, (1/93)

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	18	-20* =		x \$ _____ =	\$
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	1	-3** =		x \$ _____ =	
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 C.F.R. § 1.16)	760.00
				Total of above Calculations =	760.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL =	760.00
<p>6. Small entity status:</p> <p>a. <input type="checkbox"/> A small entity statement is enclosed, if (b) and (c) do not apply.</p> <p>b. <input type="checkbox"/> A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.</p> <p>c. <input type="checkbox"/> Is no longer claimed.</p> <p>7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. <u>03 - 1721</u>:</p> <p>a. <input checked="" type="checkbox"/> Fees required under 37 C.F.R. § 1.16.</p> <p>b. <input type="checkbox"/> Fees required under 37 C.F.R. § 1.17.</p> <p>c. <input type="checkbox"/> Fees required under 37 C.F.R. § 1.18.</p> <p>8. <input type="checkbox"/> A check in the amount of \$ _____ is enclosed.</p> <p>9. <input type="checkbox"/> Other: _____</p>					

**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label  <small>(Insert Customer No. or Attach bar code label here)</small>			<input type="checkbox"/> or <input type="checkbox"/> New correspondence address below		
Name					
Address					
City	State		Zip Code		
Country	Telephone		Fax		

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	<i>Karoline K. M. Shair</i>	
Signature	Karoline K.M. Shair	
Registration No. (Attorney/Agent)	P-44,332	
Date	December 22, 1998	